

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 8028 of 2005

Between:

Paluri Ramaeshwari, W/o. Kondaiah,
R/o.19th Ward, Srinivasa Colony, Piduguralla (V) & (M),
Guntur District.

..... PETITIONER

AND

- 1 The Station House Officer, Piduguralla Police Station,
Guntur District.
- 2 The Station House Officer, Machavaram Police Station,

Guntur District.
- 3 The Superintendent of Police, Guntur District.
- 4 The Director General of Police and Inspector General Police,

Lakdikapool, Hyderabad.
- 5 The Home Secretary, Department of Home, Secretariat

Buildings, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of Writ of Habeas Corpus direct the respondents herein to produce the detenues namely first detainee Mr.Paluri Kondaiah alias Rendo Kondaiah S/o.Kondaiah, aged about 40 years. Occ: Agriculture Coolie R/o.Piduguralla, Guntur District and Second detainee herein Mr.Katepally Kotaiah S/o.Ramakotaiah, aged about 30 years, R/o.Pinnelli (V)

Machavaram (M) Guntur District before this Hon'ble Court and record the statements of the detenues and set them free and basing on their statement this Hon'ble Court may be pleased to direct the respondent No.5 herein to punish the erring Police Officials and award appropriate compensation to the detenues herein and pass such other order or orders.

Counsel for the Petitioner: MR.V.RAGHUNATH

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court at the stage of admission made the following :

(Order follows on 2nd page)

ORAL ORDER: (Per Sri BRSR.J)

In the affidavit filed in response to the writ of Habeas Corpus, the Assistant Sub-Inspector of Police, Piduguralla Police Station stated that the alleged detenu No.1 Paluri Kondaiah @ Rendo Kondaiah was never been taken into custody since he was not required in any case. On receiving the communication from the office of the learned Advocate General, enquiries were made about the alleged detenu No.1 and he was found to be at his native place Narsingapadu village, Nekarikallu Mandal, Guntur District moving freely with his friends. The fact remains that he was not arrested. However, this Court vide its order dated 20.4.2005 in order to satisfy itself that the alleged detenu Paluri Kondaiah was moving freely, directed the respondents to produce him in the Court. Accordingly, he was produced in the Court today and there is no dispute raised that he was not arrested. No directions setting him at liberty are required to be issued since he was not in detention.

No further orders as such are required to be passed in this writ petition. The same shall accordingly stand closed.

(B.SUDERSHAN REDDY,J)

DT.27..04..2005

(C.V.RAMULU,J)

msv.

To

- 1 The Station House Officer, Piduguralla Police Station,
Guntur District.
- 2 The Station House Officer, Machavaram Police Station,
Guntur District.
- 3 The Superintendent of Police, Guntur District.
- 4 The Director General of Police and Inspector General Police,
Lakdikapool, Hyderabad.
- 5 The Home Secretary, Department of Home, Secretariat
Buildings, Hyderabad.
- 6 2 CCs to the Advocate General, High Court of A.P. Hyd (OUT)
- 7 2 CD copies.